THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION Nos.27027, 27609, 27797, 28097, 28115 of 2005, 522 and 549 of 2006

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DATED: 03-02-2006

W.P.No.27027 of 2005

Between:

T.Deepthi and others . . .Petitioners

And

N.T.R. University of Health Sciences,

AP, Vijayawada, and another . . .Respondents

W.P.No.27609 of 2005

Between:

Kum. S.Zeba Fatima . . .Petitioner

And

N.T.R. University of Health Sciences,

AP, Vijayawada, and another . . .Respondents

W.P.No.27797 of 2005

Between:

C.Rishikesh . . .Petitioner

And

N.T.R. University of Health Sciences,

AP, Vijayawada, and another . . .Respondents

W.P.No.28097 of 2005

Between:

B.Deepthi . . .Petitioner

And

N.T.R. University of Health Sciences,

AP, Vijayawada, and another . . .Respondents

W.P.No.28115 of 2005

Between:

N. Asha Deepthy . . .Petitioner

And

N.T.R. University of Health Sciences,

AP, Vijayawada, and another . . .Respondents

W.P.No.522 of 2006

Between:

A.Vamsi Priya and others . . .Petitioners

And

N.T.R. University of Health Sciences,

AP, Vijayawada, and another . . .Respondents

W.P.No.549 of 2006

Between:

S.Harinder Singh . . .Petitioner

And

N.T.R. University of Health Sciences,

AP, Vijayawada, and another . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION Nos.27027, 27609, 27797, 28097, 28115 of 2005, 522 and 549 of 2006

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O R D E R:

Petitioners are the students of M.B.B.S. Course. They have completed Part-I thereof. At the end of that part, they have appeared in the examinations in the subjects of Anatomy, Physiology and Biochemistry, from various colleges. The results were declared by the University on 30-11-2005. It emerged that the petitioners herein failed with a very small margin in one subject or the other.

There is no provision for revaluation of the answer scripts in the examinations conducted in M.B.B.S. Course. However, there is a facility of retotalling. The petitioners availed the said facility and on perusal of the answer scripts, they expressed the view that some of the answers were not awarded any marks at all. These writ petitions are filed seeking appropriate directions.

The matter was heard at length. On an earlier occasion, taking the submissions made on behalf of the petitioners and the N.T.R. University of Health Sciences,

Andhra Pradesh at Vijayawada, this Court passed an order, dated 04-01-2006, directing the University to place the answer scripts of the petitioners in the subjects, in which they have been awarded less than the minimum marks, before the concerned Head of the Department, who in turn, was directed to verify the answer scripts either by himself or by taking the assistance from the concerned subject experts. In obedience to this direction, the University has undertaken the relevant exercise and has placed before this Court, the result thereof.

Now the writ petitions are listed for disposal.

Heard the learned counsel for the petitioners and learned Standing Counsel for the respondents.

Basically, this Court cannot act as an appellate authority in the matter of evaluation of answer scripts. On finding some force in the submissions made by the learned counsel appearing on behalf of the petitioners, this Court felt that the matter be entrusted to the concerned Head of the Department, so that the students are not left with an impression that they have been subjected to injustice.

Through a letter, dated 01-02-2006, the Registrar of the University has enclosed the result of re-examination of the answer scripts of the petitioners, in terms of the directions issued by this Court. It has so emerged that in the subjects of Physiology and Anatomy, there was an upward revision of marks in favour of various petitioners and in the subject of Physiology, almost without any exception, there was a downward revision. The basic purpose of directing the reexamination of the answer scripts by the Head of the Department was to explore the possibility of awarding marks to the petitioners, for the answers, either which were not awarded any marks at all or were awarded marks disproportionate to the content of the answer. In the process, the petitioners cannot be subjected to a higher disadvantage than what they were already facing before approaching this Court.

For the foregoing reasons, the writ petitions are disposed of, directing that the University shall extend the advantage of the upward revision to the petitioners and ignore any downward revision during the course of the exercise undertaken by the University, in pursuance of the orders passed by this Court.

Consequently, if any of the petitioners deserve to be declared as pass, the steps in this regard shall be taken, within a period of one week from the date of receipt of a copy of this order.

There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

3rd FEBRUARY, 2006.

Note: furnish c.c. in two days.

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